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Report of the Secretary-General

Implementation of paragraph 9 (b) (i) of Security Council resolution 687 (1991)

1. The present report is submitted in pursuance of Security Council resolution 687 (1991) of 3 April 1991. In paragraph 9 (b) (i) of that resolution the Council decided that the Secretary-General should submit to it for approval a plan calling inter alia for the forming of a Special Commission to carry out the tasks enumerated in paragraphs 9 (b) (i-iii), 10 and 13.

2. To enable the Special Commission to play its proper part in assessing information and preparing and planning the activities envisaged in Section C of the resolution, including assisting the Director-General of the International Atomic Energy Agency to present a plan within his designated area, there is an urgent need for the Special Commission to be established. The implementation, within or near the time-frames indicated by the resolution, of all the mandates in Section C will in fact depend on the existence of the Commission, and its advice in the early stages would be essential.

3. Subject to the approval of the Security Council, it is my intention to set up the Special Commission as described below and to make all necessary arrangements for it to begin implementation of its tasks.

4. In setting up the structure for the Special Commission I wish to emphasize the need for an efficient and effective executive body. I propose that it should have an Executive Chairman with a Deputy Executive Chairman to assist the Chairman in carrying out his functions. Following the appointment of these two individuals the remainder of the Special Commission would be established on an expanding basis as appropriate individuals are found to fill the positions. Under the Executive Chairman and Deputy Executive Chairman, the planning and operational direction of the functions of the Commission should be carried out by five groups, each under a head of group with appropriate executive experience in the assigned field and each consisting of a small number of experts. The major areas of responsibility would be: biological and chemical weapons; ballistic missiles; nuclear-weapons

capabilities; future compliance and operations support. Thus the formal membership of the Special Commission would be of the order of 20 to 25 persons.

5. Although the specific timing of the Special Commission's activities have yet to be determined, under the provisions of Section C of the resolution, most of the Commission's functions are time-limited. With the accomplishment of the tasks entrusted to four of the five groups, the major active phases would be completed and those four groups would cease to exist. The fifth group would continue in order to implement the activities relating to future compliance.

6. In carrying out its various tasks the Special Commission would be assisted by a number of technical experts serving as inspectors, disposal teams and field support officers. These experts would be either specially engaged for this purpose or made available to the Commission by Member States. Their total number would have to be determined in relationship to the size of the task to be carried out. This can be fully assessed only after the baseline field inspections have been completed by the Special Commission, but it is likely that the personnel involved will number in the several hundreds.

7. As soon as the baseline field assignments of the Special Commission and of the International Atomic Energy Agency have been completed, I intend to work out, in consultation with the Commission, a detailed plan for the implementation of the various tasks entrusted to it, and to submit it to the Security Council for its approval.

8. Following the acceptance by the Government of Iraq of Security Council resolution 687 (1991), expressed in the penultimate provision of the letters addressed respectively to me and to the President of the Security Council on 6 April 1991 by the Minister for Foreign Affairs of the Republic of Iraq, the execution of the baseline field inspections and the subsequent implementation plan is predicated on the assumption of full cooperation by the Iraqi authorities. The Special Commission would enjoy the relevant privileges and immunities provided for in the Convention on the Privileges and Immunities of the United Nations. Members of the Special Commission, experts attached to it and other specialists assigned to assist it in the implementation of Section C of Security Council resolution 687 (1991), would be regarded as experts on mission within the meaning of Article VI of the Convention on the Privileges and Immunities of the United Nations, relevant Annexes to the Convention on the Privileges and Immunities of the Specialized Agencies and Article VII of the Agreement on the Privileges and Immunities of the IAEA, respectively. Taking into account the tasks to be performed by the Special Commission, it may be necessary to conclude special agreements covering the status, facilities, privileges and immunities of the Commission and its personnel. The existing agreements mentioned above would equally apply to tasks to be performed in Iraq by the IAEA and could be supplemented by special agreements, should the need arise.

9. While the financial implications relating to the establishment and functioning of the Special Commission cannot at this stage be assessed with

accuracy, it is anticipated that certain start-up funds will be required. This sum will defray the initial costs of establishing the Headquarters of the Special Commission in New York as well as a field office in the region and the early deployment of advanced elements of the operation in the field. This sum will also defray some of the initial costs to be borne by the IAEA in carrying out the assignments entrusted to it under Section C of the resolution. Comprehensive cost estimates will, of course, be provided to the Security Council as soon as possible. It is my intention, however, to proceed in this regard on the basis of the following principles: (a) that Member States whose nationals will serve on the Commission or assist it in the discharge of its responsibilities should be responsible for their salaries, while the United Nations will bear the costs of travel and daily subsistence, and (b) that the whole exercise will be carried out in the shortest possible time, with a progressive decrease in the number of technical experts and of members of the Special Commission as various operations are completed.